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President: INSANALLY
(Guyana)

The meeting was called to order at 10.40 a.m.

TRIBUTE TO THE MEMORY OF HIS EXCELLENCY RATU SIR PENAIA GANILAU, THE LATE PRESIDENT AND COMMANDER-IN-CHIEF OF THE REPUBLIC OF FIJI

The PRESIDENT: Before considering the item on its agenda for this meeting, the General Assembly will pay tribute to the memory of the late President and Commander-in-Chief of the Republic of Fiji, His Excellency Ratu Sir Penaia Ganilau.

We join the Government and the people of Fiji in mourning the sudden loss of their beloved President. President Ganilau was a Pacific statesman of the highest standing, who served his country for over 50 years in various public offices. He was a Paramount Chief, a soldier and a sportsman, and was the first President of the Republic of Fiji, in 1987.

On behalf of the Assembly, I should like to convey our heartfelt condolences to the Government and the people of the Republic of Fiji and to the bereaved family.

The members of the General Assembly observed a minute of silence.

The PRESIDENT: I call on the representative of Angola, who will speak on behalf of the Group of African States.

Mr. VAN DUNEM "MBINDA" (Angola): The people and the Government of the Republic of Fiji are mourning the passing of the President and Commander-in-Chief of Fiji, His Excellency Ratu Sir Penaia Ganilau. The African Group in the United Nations takes this opportunity to say that it shares the loss of that very important son of Fiji, who devoted his life to the struggle for his people's independence and social progress in various domains. Indeed, his loss is felt not only by the people of the sister Republic of Fiji, but by all peace-loving people and by all mankind.

We will remember Ratu Sir Penaia Ganilau, President of Fiji, for his actions and his dedication; he was a source of inspiration and an object of great respect and admiration for the world.

At this time of grief and sadness for the people and the Government of Fiji, allow me on behalf of the Group of African States Members of the United Nations to express to the Government and the people of Fiji and to the bereaved family, through the Permanent Mission of Fiji, our most sincere condolences.

The PRESIDENT: I call upon the representative of Japan, who will speak on behalf of the Group of Asian States.

Mr. MARUYAMA (Japan): I wish on behalf of the Asian Group to express sincere condolences to our colleague Ambassador Seniloli and, through him, to the

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Government and the people of the Republic of Fiji, on the passing of their esteemed President, His Excellency Ratu Sir Penaia Ganilau.

Ratu Sir Panaia Ganilau's service to his country spanned 54 years. Having joined the Fiji civil service in 1939, he held a variety of posts - notably, Minister for Home Affairs, Minister for Lands and Mineral Resources, Deputy Prime Minister, and Governor-General. In 1987 he became the Republic's first President. Throughout his tenure as President, he led his Pacific island nation on the path of economic growth and prosperity, thus enhancing the well-being of its people and the stability of the region.

The international community and, particularly, Fiji's Asian neighbours regret his passing.

The PRESIDENT: I call now on the representative of the former Yugoslav Republic of Macedonia, who will speak on behalf of the Group of Eastern European States.

Mr. MALESKI (the former Yugoslav Republic of Macedonia): It is with grief that we learn that yet another leader of a State Member of the United Nations has passed away. On behalf of the members of the regional Group of Eastern European States, I should like to pay tribute to the late President and Commander-in-Chief of the Republic of Fiji, His Excellency Ratu Sir Penaia Ganilau. I would ask the delegation of the Republic of Fiji to convey our deepest condolences to the family of the deceased President and to the Government and the people of the Republic of Fiji.

The PRESIDENT: I call now on the representative of Ecuador, who will speak on behalf of the Group of Latin American and Caribbean States.

Mr. AYALA LASSO (Ecuador) *(interpretation from Spanish)*: It is with profound grief that we pay tribute to the memory of the late President of the Republic of Fiji, His Excellency Ratu Sir Penaia Ganilau.

President Ganilau served his country with distinction in a great variety of fields of endeavour. In his youth, he was a sports hero; during the Second World War he fought to defend his homeland. Subsequently, he held the most important of executive posts in the Fiji civil service in everything connected with the economy and development, then in the legislative branch and finally the executive branch of government.

His long career in public service took him to his country's highest positions. He was the third Governor General of Fiji, in 1983, and later, when the Republic was declared in 1987, became its first President.

I am sure the people of Fiji will remember this illustrious man with admiration, gratitude and respect.

On behalf of the States of Latin America and the Caribbean, I extend heartfelt condolences to the Fiji Mission, and I ask the Mission to transmit my message to the family of His Excellency Ratu Sir Penaia Ganilau and to the Government and the people of Fiji.

The PRESIDENT: I now call on Mr. José Caetano da Costa Pereira of Portugal, who will speak on behalf of the Group of Western European and Other States.

Mr. da COSTA PEREIRA (Portugal): I have the honour to speak on behalf of the Group of Western European and Other States.

It is with deep sorrow that I pay tribute to the memory of President and Commander-in-Chief Ratu Sir Penaia Ganilau of the Republic of Fiji, who passed away this week.

President Ratu Sir Ganilau earned widespread respect in the international community while enjoying exceptional and respectful authority at home. He served the people of Fiji in various capacities all his life and was a man with indisputable influence and a remarkable political career, which made him a prestigious and charismatic statesman.

In this forum I shall limit myself to recalling President Ratu Sir Ganilau's significant role as the first President of the Republic of Fiji. He assumed that post in 1987, after having held posts in many important ministries in his country.

I should like to conclude by expressing my Group's sincere and heartfelt condolences and sympathy to the Government and the people of the Republic of Fiji and to the bereaved family of the late President Ratu Sir Penaia Ganilau.

The PRESIDENT: I now call on the representative of the United States of America, Mr. Richard Williams, who will speak on behalf of the host country.

Mr. WILLIAMS (United States of America): The Government and the people of the United States would like to express their deep regret at the loss of a great statesman, President Ratu Sir Penaia Ganilau of Fiji. During his long years of service to the people of Fiji as a military officer, civil servant, parliamentarian, minister, Deputy Prime Minister, former Chairman of the Great Council of Chiefs and Governor General, and, most recently, as President, he demonstrated an untiring devotion to the rights of others.

His steady hand as Chief of State and his wise counsel will long be remembered.

The late President Ganilau's leadership, patriotism and devotion to democracy won him the admiration and respect not only of Fijians but also of others throughout the world, including in the United States. While we mourn his passing, we can all take comfort in his legacy of service. We hope that others will be inspired by his example. Our deepest sympathy goes out to his family and to the Government and the people of Fiji.

The PRESIDENT: I now call on Mr. Ratu Manasa Seniloli, Permanent Representative of Fiji.

Mr. SENILOLI (Fiji): On behalf of the people and the Government of the Republic of Fiji, I wish to express our sincere appreciation for the warm tribute just paid to our late President, His Excellency Ratu Sir Penaia Ganilau. Our beloved President passed away at the Walter Reed Hospital in Washington the day before yesterday. His Excellency President Ganilau was 75 years old.

My delegation is grateful for, and deeply moved by, the words of sympathy and condolence expressed by you, Mr. President, by the Chairmen of all the regional groups and by the representative of the host country on this solemn occasion.

Ratu Sir Penaia Ganilau played a central role in shaping Fiji's political destiny for more than three decades. After the political upheaval that Fiji faced in 1987, he played a pivotal and crucial role in bringing stability back to the country. President Ganilau worked tirelessly to the very end and served the people of Fiji in numerous capacities throughout his life.

During the latter part of his 56 years of public service, he followed Fiji's foreign relations closely. He addressed this Assembly on behalf of Fiji on a number of occasions. He understood the role of this Organization in maintaining peace and security, and he gave his wholehearted support to Fiji's peace-keeping effort. He made frequent visits to the Middle East in order to encourage, and boost the morale of, our soldiers serving in Lebanon and Sinai.

Ratu Sir Penaia Ganilau, who symbolized stability, tolerance and love, was highly regarded and respected by Fiji's multiracial population, and he will be greatly missed.

Let me conclude by assuring you, Mr. President, and the Member States that my delegation will convey your kind sentiments of sympathy and sorrow to the bereaved family and to the people and the Government of the Republic of Fiji.

AGENDA ITEM 42

THE SITUATION IN BOSNIA AND HERZEGOVINA: DRAFT RESOLUTION (A/48/L.50)

The PRESIDENT: I call on the representative of Bosnia and Herzegovina to introduce the draft resolution contained in document A/48/L.50.

Mr. SACIRBEY (Bosnia and Herzegovina): Let me join other representatives in expressing my condolences to the people and the Republic of Fiji on the loss of their beloved President, Ratu Sir Penaia Ganilau.

I should also like to express my condolences to the families of the 12 Croatian citizens who were senselessly killed this past week while working abroad on behalf of their country.

I have the honour to introduce, on behalf of its sponsors, the draft resolution (A/48/L.50) entitled "The situation in Bosnia and Herzegovina".

After all that has been inflicted upon us, after all the deprivations we have suffered and after all the betrayals and abandonment, let me none the less assure you that we are not here to eulogize the Republic of Bosnia and Herzegovina.

We continue to be the victims of genocide. We continue to suffer the senseless deaths of thousands of people resulting from the continuing sieges by the fascist barbarians. And although the civilized democracies of the West still deny our right to self-defence, the rumour of our nation's death is greatly exaggerated.

Ironically, it may be that our stubborn refusal to acquiesce to our own long-predicted destruction is what makes so many so uncomfortable and even more unwilling to allow us our rights. Perhaps there are those who find our continued existence an embarrassment that belies their stated commitment to international law. We make no apology to those who would find it more convenient if we would just disappear, rather than serve as a constant reminder to them of their betrayal of principles.

We remain sincerely committed to reaching a negotiated peace.

When the international community has failed to confront the genocide against our population and has allowed our civilians to be shelled, shot and denied basic essentials, we must negotiate even with our tormenters to minimize the suffering.

We will not be the last to defend principles long abandoned by the rest at the expense of our people.

We will make the most painful concessions which have never been made by those who so vehemently advocate such concessions - all of this to save lives and to preserve a viable nation and our multicultural, tolerant, democratic society.

Having suffered the failure of a long list of peace plans and cease-fire agreements, we will none the less continue to endorse the latest European Union Initiative on Bosnia and Herzegovina. We have sincerely accepted all the principles incorporated in the mandate of the European Union Initiative.

Unfortunately, the Serbians have not made any of the concessions explicitly called for by the Initiative in order to reach a political settlement. More critically, they have increasingly reneged on commitments to assure the flow of essential humanitarian assistance.

Almost a month has now elapsed since the Initiative on Bosnia and Herzegovina was announced and so much hope was invested in its success. Unfortunately, the results do not in any way justify the expectations.

The European Union Initiative seeks to give the Serbians an incentive to withdraw from a small area of land they have "ethnically cleansed" by rewarding them with an easing of sanctions, legitimacy and the abandonment of the principles of the Western community, the United Nations Charter and international law.

The bargain and the choice for the Serbians would seem obvious to most. However, for a Serbian mind, conditioned to constant appeasement, the carrot and stick approach with no stick only encourages further intransigence.

Those who have invested in this Initiative so much of their prestige and so much hope for our future and survival must now contemplate fully their responsibility to reverse the ever-deepening process of appeasement and to restore the delivery of urgently needed humanitarian essentials.

The draft resolution (A/48/L.50) before us seeks to accomplish those objectives - objectives that are essential for the attainment of any peace and for the saving of lives.

If those who have promoted the new peace plan can envision a more effective step to give their Initiative new vigour and credibility, then they should have the courage to propose such a step. But let us be clear on one point: promises of more carrots and offers of more talks alone will not bring about the necessary good faith and respect for international law and principles.

Today's debate could in fact be a eulogy for the principles of the United Nations and the rule of law. If those principles and the rule of law are not preserved, we have to wonder whether this United Nations and its organs can persevere and progress in this critical period of opportunities and pitfalls. Otherwise, we must question whether the United Nations has a genetic predisposition or deficiency that it may have inherited from the League of Nations.

The newly free nations of Eastern Europe and the former Soviet bloc may be inclined to align their political and diplomatic voices with the economic Powers of the European Union.

With the rising appeal and electoral gains of ultra-nationalists, militarists and anti-Semites, those nations should be careful not to suffer the same betrayal as Czechoslovakia did in 1938 at the hands of the very nations whose exclusive club those nations now seek to join.

The struggle we have waged in Bosnia to assert our sovereign rights, to promote the principles of the United Nations, to defend ourselves and to deter the disease of fascism is also your struggle.

The nations of the so-called developing and underdeveloped world - nations of Africa, Asia and the Americas - should be concerned that the selective application of international law and the principles of the United Nations will take us back to the era when exploitation, colonization and force were the rule, when race and religion were the criteria for economic well-being and even for physical survival.

In Bosnia and Herzegovina, religion and ethnicity are the excuses for aggression and are in fact the weapons for the committing of genocide.

The long and painful struggle against apartheid is coming to a successful close in Africa. Meanwhile, apartheid, this zombie from another era, rises from the dead in our country, now promoted as a tool of peace by those who originally gave it life in Africa and elsewhere.

To the democracies of the West, we say: we expected your help in confronting fascism and aggression because we were defending the very principles and human rights that you so eloquently advocate. Unfortunately, you avoided your responsibility. Worse, you excused your inaction and added to our despair by categorizing us on the

basis of ethnicity and religion rather than on that of our actions and political philosophy.

You further victimized us by equating the responsibility of the victim with that of the aggressor through the irresponsible and even malicious labelling of this aggression as a civil or religious war. You not only sought to deny us our rights as victims, but you also attempted to slander and deny the legacy of our nation as a tolerant, multi-ethnic society.

Early this fall an UNPROFOR official asserted that the siege of Sarajevo was no longer.

Last month the people of Sarajevo were deprived by United Nations officials of the right to receive a troupe of well-respected artists as part of a cultural exchange and a symbol of solidarity. At the beginning of this month, the Serbians demanded the partition of Sarajevo under the threat of continuing shelling and genocide. Last week, the Serbians continued to block the delivery of humanitarian essentials, and especially winterization materials, in order to starve and freeze the people of Sarajevo.

Just this week, over 1,000 Serbian shells were fired on Sarajevo. More than 20 innocent civilians were murdered. Dozens of others were maimed.

Sarajevo has been designated by the United Nations Security Council as a safe area, ostensibly to be defended by the military forces of the international community deployed in Bosnia and Herzegovina. Sarajevo is also the victim of hypocrisy. And the people of Sarajevo and the Republic of Bosnia and Herzegovina are still denied the right to acquire weapons to defend themselves against their over-armed aggressors.

Sarajevo is just the most visible of the many Bosnian cities, towns and villages under siege: Mostar, Gorazde, Brcko, Srebrenica, Bihac, Tuzla.

Sarajevo is the living embodiment of the slow-motion strangulation of our entire nation, a nation which is a Member State of this body, the United Nations.

All of us are at risk in Sarajevo. Do not allow the spirit of Sarajevo's tolerance to wither, for without it all of us will be made poorer. Do not allow Sarajevo to be partitioned by barbed wire and high walls, for all of us will be divided a little bit more. Do not allow Sarajevo to be razed, for all of our principles may be buried underneath the rubble.

Mr. CARDENAS (Argentina) *(interpretation from Spanish)*: Let me begin by noting that we reserve the right in due course to explain our vote on the draft resolution before the Assembly.

The Argentine Republic has always recognized Bosnia and Herzegovina's right to sovereignty, territorial integrity and political independence, and will continue to do so. The Argentine Republic once again condemns the constant violations of the sovereignty of Bosnia and Herzegovina and the repeated, extremely grave violations of human rights perpetrated against its population, and in particular the odious policy of "ethnic cleansing" carried out on its territory.

The Argentine Republic staunchly supports a negotiated, just, peaceful and lasting settlement of the conflict that has stricken the peoples of the region. In that connection, we reaffirm our conviction that such a settlement can be achieved only through the measures envisaged in the Charter for the peaceful settlement of disputes. We reaffirm also that the non-recognition of the acquisition of territory by the use of force entails the total rejection of the legal validity of every act perpetrated by the occupiers of illegitimately held territory.

Convinced that bolstering justice and upholding the principles of international law constitute the best way to safeguard international peace and security, my country has since 1991 contributed a volunteer force of 950 mechanized infantry from the Argentine army, who are stationed in Croatia. Mindful of recent events, we want to state that we shall not reduce our contribution in any way, despite the fact that our troops have sustained casualties as they perform their difficult task.

Only a climate of peace and mutual respect will make it possible for the parties to this unfortunate conflict to achieve a just, lasting negotiated settlement.

From this rostrum of peace, I pay tribute on behalf of the Argentine Republic to two of our sons, Captain José Rojas and Sergeant-Major Sergio Valla. The first, who led one of the four companies in the Argentine army battalion stationed in Croatia, died yesterday while on patrol, as a result of the explosion of a mine. Let us, with the restraint that marks true soldiers, who understand the hardship and sacrifice that are part of their profession, and simply say that he died while doing his duty. Yet I must add that he died with the nobility of those who wear the blue helmets of the United Nations, wherever they serve, putting their lives on the line for peace. It is clear that his sacrifice was not in vain. We know that war is antithetical to mankind, to reason, to intelligence - to the very essence of humanity.

The second of our sons, I have been informed by telephone by his battalion commander, lost a leg last night, and the other this morning. His chances are slim.

I mention Captain José Rojas and Sergeant-Major Sergio Valla in this Hall to pay them a sad but serene tribute on behalf of the men and women of my country and, I am sure, of the entire international community, represented here. We all pray that God may be with their families, and express our gratitude to the deceased.

I close with the words of a great lady of the host country, Eleanor Roosevelt. She once said that it is not enough to speak of peace; one must believe in it. But nor is it enough to believe in peace; one must work for it. We in this Organization know how very true those words are.

The PRESIDENT: I propose that the list of speakers in the debate on this item should be closed today at 11.30 a.m.

It was so decided.

Mr. MARKER (Pakistan): I wish to associate my delegation with the feelings of condolence and sympathy that have been expressed on the demise of the President of the Republic of Fiji, and to request the representative of Fiji to convey those sentiments to the Government and the people of Fiji, and to the bereaved family of the late President.

I wish also to associate my delegation with the expressions of condolence just conveyed by the representative of Argentina on the sad losses suffered, in the course of duty, by his compatriots.

The Government and the people of Pakistan have been following with deep anguish and concern the continuing tragedy in the Republic of Bosnia and Herzegovina. A sovereign State Member of the United Nations has been subjected to blatant aggression and genocide by the Serbs. That aggression has been compounded by armed attacks by Croat extremist elements, particularly in central Bosnia.

Since the Second World War the world has witnessed many cases of aggression. We have seen violations of human rights, often of a most brutal kind. In Bosnia and Herzegovina we are witnessing the most horrible combination of aggression and genocide, in full view of the international community. It is indeed ironic that this tragedy is being enacted on a continent which prides itself on its commitment to human rights and international legality.

Throughout this conflict the Security Council, the principal organ of the United Nations entrusted with the primary responsibility for the maintenance of international peace and security, has been unable to a great extent to fulfil its Charter responsibility. Over the last nearly two years the Security Council has acted in a piecemeal and irresolute manner, without comprehensively addressing the core issue of aggression and occupation. The inaction and the indecision of the international community have merely served to embolden the Serbs to continue their aggression. They have now consolidated their occupation of two thirds of the territory of Bosnia and Herzegovina.

Pakistan has consistently urged the international community, particularly the Security Council, to act swiftly and firmly, on the basis of the principles enshrined in the United Nations Charter, to retrieve and redress the situation. We have advocated decisive, expeditious and comprehensive action by the Security Council, under Chapter VII of the United Nations Charter, to enforce its decisions and to authorize the use of all necessary measures, including force and air strikes, to halt the Serbian aggression and reverse it through withdrawal from all territories occupied by the use of force and "ethnic cleansing", and to restore fully the territorial integrity, unity and sovereignty of the Republic of Bosnia and Herzegovina.

As a member of the Security Council since January this year, Pakistan, together with other like-minded countries in the Council, has called for decisive action to avert and mitigate the tragedy in Bosnia and Herzegovina. Regrettably, the Security Council resolutions on Bosnia and Herzegovina remain largely unimplemented, despite the fact that most of them were adopted under Chapter VII. In fact, action by the Security Council was delayed, with the result that it could not have any meaningful impact in stopping aggression against the defenceless Bosnians.

All the while, the Serbs used the cover of the peace process to pursue and consolidate their expansionist designs. Now, the argument of "ground realities" is being advanced to legalize a *fait accompli*. The victims of aggression and genocide are being required to pay the final price for a peace that seeks to legitimize the results of that aggression.

Throughout the gruesome tragedy in Bosnia and Herzegovina, the Organization of the Islamic Conference (OIC) has steadfastly taken a principled position. Since the crisis erupted, the OIC has held two emergency meetings and a meeting of the extended Bureau. During the current year, Pakistan had the singular honour of hosting and chairing the twenty-first session of the Islamic Conference of Foreign Ministers (ICFM), which was held

in Karachi in April, and a special OIC ministerial meeting of the Bureau of the ICFM - enlarged by the inclusion of the members of the Contact Group and member States contributing troops to the United Nations Protection Force in Bosnia and Herzegovina - in Islamabad on 12 and 13 July 1993.

The OIC has consistently advocated that the sovereignty, unity and territorial integrity of Bosnia and Herzegovina should be fully restored. In this context, I might mention that the Action Plan that was adopted at the special ministerial meeting held in Islamabad in July this year contained offers by seven Islamic States to contribute more than 20,000 peace-keeping troops to the United Nations Protection Force in Bosnia and Herzegovina for the purpose of ensuring peace and security in the safe areas designated by the Security Council. A contingent of 3,000 Pakistani troops is ready for deployment but is awaiting the provision of appropriate weaponry by the United Nations.

Another major initiative was the dispatch of the OIC ministerial mission - comprising the Foreign Ministers of Pakistan, Senegal, Turkey and Tunisia and the Secretary-General of the OIC - which the Foreign Minister of Pakistan had the honour to lead. This ministerial mission visited important capitals, including those of the permanent members of the Security Council; held in-depth discussions in Geneva with the Co-Chairmen of the International Conference on the Former Yugoslavia; and met all members of the Security Council in New York. During these visits, the OIC ministerial mission conveyed to its interlocutors, on behalf of 51 States members of the OIC, the distress and disappointment of their Governments and peoples at the failure of the world community to uphold the principles of the United Nations Charter by resolute action to halt and reverse the aggression in Bosnia and Herzegovina.

Following the recently concluded visit to Turkey by the Prime Minister of Pakistan, it has been decided that the Prime Ministers of Turkey and Pakistan - Mrs. Tansu Ciller and Mohtarama Benazir Bhuto - will jointly visit Sarajevo in the near future as a gesture of solidarity with the people of Bosnia.

The continuation of the arms embargo against Bosnia and Herzegovina has simply whetted the appetite of the aggressor and is therefore totally unjustifiable. It has prevented the victim of aggression from exercising its inherent right to individual and collective self-defence under Article 51 of the United Nations Charter. In fact, the unjust arms embargo against Bosnia and Herzegovina has contributed to the genocide of the defenceless Muslims. To argue that the victim of aggression and genocide should not be allowed to acquire the means of self-defence challenges the most elementary logic of fair play - apart from derogating from the principles and provisions of the United Nations Charter relating to self-defence. Indeed, it is our conviction that if the Bosnian Muslims were provided with adequate means to defend themselves, this would act as a deterrent to further aggression against them.

It is regrettable that the peace package that is under consideration at the ongoing Geneva talks is based primarily upon the Serb-Croat proposals, which, de facto, seek a three-way partition, along ethnic lines, of a State Member of the United Nations. We believe that the terms offered to the Bosnian presidency are unjust, as they clearly reward the aggressor, in total disregard of the principles of the United Nations Charter and of those enunciated in the relevant resolutions of the Security Council and the International Conference on the Former Yugoslavia. The Muslims, who constitute 50 per cent of the population, are being allocated about 30 per cent of the territory, to be divided into six small and geographically separated parts, with no viable access to the Adriatic Sea. Even for this inequitable solution, there are no international guarantees.

Pakistan believes that, even at this eleventh hour, resolute action can help save the Republic of Bosnia and Herzegovina and its Muslim population. All parties should scrupulously implement a cease-fire and complete cessation of hostilities throughout the Republic of Bosnia and Herzegovina in order to create an atmosphere conducive to peace negotiations. It is important that the siege of Bosnian cities be immediately lifted through the withdrawal of Serbian heavy weaponry from the vicinity of Sarajevo and other safe areas. This is essential if a complete cessation of hostilities is to be secured and the delivery of humanitarian assistance facilitated. The continuing siege is causing immense human suffering, and it is the most significant impediment to meaningful peace talks.

At the same time, it is vitally important that safe and secure humanitarian-relief corridors be established in order to ensure the unhindered supply of humanitarian-relief goods to the threatened cities in Bosnia and Herzegovina during this winter.

Finally, it is time the negotiations in Geneva were brought under the supervision of the Security Council in order to ensure transparency in the process and to ensure justice and equity, which are pre-conditions for a lasting political solution to the problem.

The failure of the world community to arrest and reverse the aggression in Bosnia and Herzegovina will

have far-reaching consequences for the future of world peace and stability. The unchecked aggression against Bosnia carries a sombre lesson for small and militarily vulnerable States, which are likely to lose confidence in the ability of the United Nations collectively to safeguard their security, sovereignty and territorial integrity. It will also encourage regional "hegemonists" to defy the will of the international community in pursuit of their expansionist ambitions. Force could become the primary currency of international relations, and chaos would be its companion.

The crisis in the Republic of Bosnia and Herzegovina poses a historic challenge for all of us. The international community - particularly the major Powers - must not forget the most important lesson of the twentieth century: that appeasement of an aggressor is flawed policy, which has never succeeded in halting aggression. That is why the founding fathers of this world body devised the structure of collective security that should have been applied in Bosnia at the very inception of the crisis. Had that been done, the world might well have been spared the tragic spectacle of a nation disappearing in front of our very eyes.

Draft resolution A/48/L.50, which Pakistan has the honour to co-sponsor, is a product of intensive negotiations, during the course of which the numerous ideas and concepts set forth by a number of delegations were incorporated into the final text. But the genesis of this draft resolution is the Charter of the United Nations itself. And, therefore, in the measure of its adoption and implementation we stand collectively before the judgement of history.

Mr. SAMHAN (United Arab Emirates) *(interpretation from Arabic)*: Right now, while the General Assembly considers the situation in the Republic of Bosnia and Herzegovina, Serbian and Bosnian Croat forces, supported by Serbia and Montenegro, continue to commit the most heinous crimes, acts of genocide, rape and "ethnic cleansing" against Muslims, in complete disregard of the Charter of the United Nations and the principles of international humanitarian law. Many statements have been made and several resolutions have been adopted by the Security Council on this tragic situation and on its grave consequences for peace, security and stability in that region.

All this clearly reaffirms the position of His Highness, Sheikh Zayed Bin Sultan Al Nahyan, President of the United Arab Emirates, which I cited last year from this rostrum. It was, he said, the duty of the international community to:

> "Put an end to the plight of the people of Bosnia and Herzegovina" - and the Muslims among them in particular - "because if the tragedy in Bosnia and Herzegovina is left to run its course, or if we confine ourselves to the actions of the international forces in merely supervising the provision of humanitarian and relief supplies to Bosnia and Herzegovina without protecting its people from the massacres they are subjected to and without deterring the aggressors, this tragedy will never end. What is even worse is that it will encourage others who have designs and give free rein to their desire to indulge in aggression and the usurpation of the right of others with impunity". *(A/47/PV.86, pp 34-35)*

In response to the instructions of His Highness, the Head of State, the Government of the United Arab Emirates has been providing financial, moral and political assistance to the people of Bosnia and Herzegovina since the beginning of the conflict. My country has hosted recently a group of that country's citizens for treatment in State hospitals at the expense of His Highness, and they have been provided with all necessary care and services. Furthermore, the Red Crescent society and other charitable organizations in the United Arab Emirates have performed a pivotal role in providing humanitarian assistance to the people of Bosnia and Herzegovina. This position arises from our commitment to and belief in the Charter of the United Nations, the principles of international law, and the great Islamic teachings and values of our heritage.

I should like to reiterate from this rostrum the grave concern of the Government of the United Arab Emirates over the continued suffering of the people of Bosnia and Herzegovina, particularly since the international community, at this historic juncture, is looking forward to the establishment of a new international order in which peaceful dialogue would be the means of resolving problems old and new and in which security, stability, peace, development and coexistence between peoples and States would be promoted.

The events now taking place in Bosnia and Herzegovina make us doubt the international community's ability to realize such noble aspirations. We are particularly concerned over the failure of the Security Council, the organ entrusted with the maintenance of international peace and security, to take the necessary firm measures to force the Serb and Croat aggressors to implement the Council's resolutions on the situation in Bosnia and Herzegovina. If the international community allows the present situation to continue without let or hindrance, the United Nations and the Security Council in particular will lose the role mandated to them in addressing international peace and security issues and the confidence

in their ability to perform that role. In the light of these facts, any assessment by the General Assembly of the current situation in Bosnia and Herzegovina and any resolution adopted on that situation will crystallize and reflect the full collective will of the international community.

The latest events prove that the Serb and Bosnian Croat forces have exploited the initiatives and negotiations that have taken place and continue to take place as a screen behind which they pursue their aggression and violation of human rights. They have used them as a cover for their expansionist aggressive policies of "ethnic cleansing" and rape and as a means of facing up to any pressure brought to bear upon them by the international community, in pursuance of their aim of establishing a Greater Serbia and a Greater Croatia.

In the light of the current situation, the failure of diplomatic efforts and the absence of any indication that the aggressors intend to stop perpetrating their crimes or intend to implement Security Council's resolutions, we are more than ever convinced that there is no longer any political or legal pretext that can justify continuing the arms embargo against Bosnia and Herzegovina. In this context, we reaffirm our full support for the right of the Republic of Bosnia and Herzegovina to self-defence in line with Article 51 of the Charter.

Furthermore, we demand support for international efforts to persuade the Serbian and Croatian forces to lift the siege of cities and villages and to allow the free movement of international humanitarian assistance.

We also reaffirm the need to bring to justice all those who are responsible for the crimes, acts of rape, aggression and grave violations of human rights committed in the former Yugoslavia since 1991. All these acts are flagrant violations of the principles of international humanitarian law and the Geneva Conventions of 1949.

We wish to reaffirm that a just, comprehensive and lasting solution to the crisis in Bosnia and Herzegovina must be achieved through peaceful negotiations and the implementation of relevant Security Council resolutions on the basis of international legality and the principles of international law.

Such a solution must ensure respect for the independence and territorial integrity of the Republic of Bosnia and Herzegovina. The time has come to reach a peaceful agreement and to put an end to this tragic war which has claimed so many victims and caused so much suffering and destruction. Here I should like to voice my Government's support of the draft resolution and of any other measures that may be taken by the General Assembly with a view to putting an end to aggression, rape and "ethnic cleansing" and to protect the territorial integrity and sovereignty of Bosnia and Herzegovina.

In conclusion, I should like to reaffirm before the General Assembly our faith in the role of the United Nations and, in particular, in the role of the Security Council in maintaining international peace and security. That position stems from our policy which is built on the firm belief that the settlement of disputes and differences between States should be achieved by peaceful dialogue and negotiation in adherence to the letter and spirit of the United Nations Charter, international law and the basic principles which govern international relations, the most important of which is respect for the sovereignty of States, their territorial integrity, non-interference in their internal affairs and the legitimate right of all States to preserve their natural resources. Adherence by the international community to these principles and objectives will strengthen our hope for a new future of peace, security and sustainable development for all humanity.

Mr. NOTERDAEME (Belgium) *(interpretation from French)*: I have the honour to speak on behalf of the European Union.

One year ago, in this very Hall, we were deploring the tragedy of the conflict in the former Yugoslavia. Today, despite the efforts of the international community and the European Union, Bosnia and Herzegovina is still the scene of a shameful and deeply disturbing war.

As winter descends once again on a war-torn land, the humanitarian situation in Bosnia and Herzegovina remains the most immediate concern of the European Union. In this connection, we pay tribute to Mrs. Ogata and the entire staff of the Office of the United Nations High Commissioner for Refugees (UNHCR), as well as to all the other humanitarian organizations working in Bosnia and Herzegovina and to the personnel of the United Nations Protection Force (UNPROFOR), who are responsible for ensuring that humanitarian aid is delivered. Through their tireless efforts, the suffering of the war-stricken civilian population has been to some extent alleviated.

Since the beginning of the conflict the European Union has been investing personnel, *matériel* and considerable financial resources to help the civilian victims of the war. It has participated to the extent of providing more than 60 per cent of the contributions to the Office of the United Nations High Commissioner for Refugees. Its total humanitarian aid effort amounts to $1.185 billion. Moreover, it should also be recalled that its member States have given aid through programmes to welcome refugees.

The European Union is thus by far the principal humanitarian contributor in the Yugoslav crisis.

On 29 October last the Council of the European Union decided to devote the first joint initiative of its common foreign and security policy to supporting the delivery of humanitarian assistance in Bosnia and Herzegovina. Consistent with that decision, the European Union decided on 9 November to increase its contribution to the resources available to the UNHCR and to support, in cooperation with UNPROFOR, the delivery of international aid, notably by identifying, repairing and maintaining the best routes.

According to the latest estimates, the financial and material needs for the coming months will be enormous. The High Commissioner for Refugees estimates that $696.5 million will be needed to meet humanitarian needs to June 1994. The European Union calls for increased international solidarity and invites the Member States of our Organization to turn their words into deeds by contributing to the effort to alleviate the suffering of the civilian population in the former Yugoslavia.

Whatever efforts the international community may make towards providing humanitarian assistance will be in vain if the parties involved do not cooperate. The European Union vigorously condemns acts of aggression against the humanitarian convoys. We reaffirm our determination to ensure free access for humanitarian aid in the future. When the European Council met on 10 and 11 December last, the European Union noted that, while the humanitarian convoys faced fewer obstructions, the parties were still far from fulfilling the obligations entered into as part of the joint declaration of 18 November, and confirmed on 29 November in Geneva, obligations to which they should strictly adhere.

Today the European Union reiterates its condemnation of the practices of "ethnic cleansing" and all violations of international humanitarian law and human rights, regardless of who commits them. It recalls that the perpetrators of such crimes will be held personally responsible and will be brought to justice. In this connection, the European Union welcomes the decision taken by the Security Council in resolution 827 (1993) to create the International Tribunal for the former Yugoslavia. It hopes that this International Tribunal, which was established in November, will begin its work as soon as possible. The Union stresses in this regard the need to ensure financing by the mandatory contributions of all Member States.

Above and beyond its humanitarian efforts, the European Union is also making a considerable contribution to the peace-keeping efforts of the United Nations in the former Yugoslavia. The European Union today recalls its support for the UNPROFOR contingents, to which the member States of the European Union are contributing more than half the troops. With courage and at times, alas, at the cost of their lives, the Blue Helmets are resolutely carrying out their mission. In this respect, the European Union recalls the obligation of the parties to ensure the safety and security of United Nations personnel and of the personnel of other organizations working in the region.

Side by side with the United Nations, the observer missions sent to the territory of the former Yugoslavia by the European Union have ceaselessly pursued their efforts, which have not only eased tensions but have also made it possible to obtain objective information on the course of the conflict. With its long-term missions in Sandjak, Kosovo and Vojvodina, the Conference on Security and Cooperation in Europe (CSCE) has also contributed to avoiding the destabilization of those regions. The European Union therefore condemns the refusal of the Federal Republic of Yugoslavia (Serbia and Montenegro) to authorize the CSCE missions to continue their activities. In line with Security Council resolution 855 (1993), the European Union appeals to the Belgrade authorities to grant the CSCE missions access to their territory once again.

The CSCE action in the area has also taken the form of assistance given, with the help of the European Union, to neighbouring countries to ensure that the sanctions are respected. In the context of the Security Council resolutions, the European Union continues to support fully the action of the Western European Union (WEU), which, by patrolling the Adriatic and assisting the countries bordering the Danube, is helping to ensure that the sanctions are enforced. The European Union also fully supports the efforts of the North Atlantic Treaty Organization (NATO) in the Adriatic. Finally, it welcomes NATO's decision to ensure compliance with the no-fly zone and its provision of close air support for UNPROFOR in Bosnia and Herzegovina.

The European Union remains convinced that only a negotiated agreement accepted by all the parties will make it possible to resolve the conflict in Bosnia and Herzegovina. As we see it, there is no alternative to this approach that is credible, none that deserves serious consideration. Beyond that, there could not possibly be any genuine peace in Bosnia and Herzegovina without a settlement of the crises in neighbouring areas.

On 29 November last, the European Union proposed a comprehensive and gradual approach aimed at developing a just and lasting settlement of all the problems linked to the crisis in the former Yugoslavia. In launching that

initiative, the European Union sought to contribute to the efforts at peace which it is pursuing, together with the United Nations, in the context of close cooperation.

The parties have agreed to resume negotiations in the context of this gradual and comprehensive approach. So far as Bosnia is concerned, this approach is based on building upon the gains made at the Geneva negotiations, which were put into final form aboard the aircraft carrier *Invincible* last September. In this context, the European Union feels the parties must display flexibility and negotiate in good faith without losing any more time.

The Serb side still has not given its consent to the necessary territorial adjustments. The Bosnians are entitled to a viable territory with access to the sea, and appeals are being made to the Croat side on that score. The Bosnian side's claim to a third of the territory of Bosnia and Herzegovina is a legitimate one and must be met. As regards the territories under the mandate of the United Nations Protection Force in Croatia, the gradual and comprehensive approach is based on a *modus vivendi*.

The European Union will continue to follow closely the evolution of the ongoing talks. The leaders of the parties involved, for that matter, have been invited to get together in Geneva on 21 December and to meet with the Council of the European Union in Brussels on 22 December. Assuming that the negotiations proceed favourably and that a peace agreement is signed, the European Union confirms once again that it is prepared to play its part in implementing a peaceful settlement of the conflict.

The draft resolution (A/48/L.50) on the situation in Bosnia and Herzegovina introduced in the course of this debate comprises elements which run counter to the approach the European Union is taking, one which facilitates the resumption and the pursuit of the negotiations. The appeal to the Security Council to consider exempting the Republic of Bosnia and Herzegovina from the arms embargo imposed under Security Council resolution 713 (1991) is the main such element. As the European Union sees it, such an exemption would only heighten the risk of an intensification of the conflict and dim still further the prospects for the peaceful settlement towards which the United Nations and the European Union are now actively working. Given these circumstances, the European Union will not be in a position to support this draft resolution and it will abstain in the voting.

The parties to the conflict in Bosnia and Herzegovina today are faced with a choice: to continue waging a war with no end in sight or to lay the groundwork for the kind of peace that will open the way towards integration within Europe. We do hope they will choose the road to peace, a road upon which the European Union will help them embark.

Mr. RAZALI (Malaysia): The first words of the Charter of the United Nations read:

> "We the peoples of the United Nations determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person".

As a Member of the United Nations, Malaysia is ashamed that this Organization has failed to put an end to the genocide in Bosnia and Herzegovina, where the most serious violations of humanitarian law since the Second World War are taking place. To us it is incomprehensible that the "ethnic cleansing" and the horrendous atrocities committed by the Serbian forces in Bosnia and Herzegovina have been allowed to continue for almost two years now. The debate today is not only to express our anguish over the tragedy but also to question the commitment of the Security Council and of powerful nations to uphold international law and to protect the most fundamental of human rights - the right to life.

The purpose of the draft resolution (A/48/L.50) on Bosnia and Herzegovina is to affirm strongly that we are determined to uphold that rule of law and to remind the Council that it has the obligation under Article 24 to take prompt and effective action to restore peace and stability in Bosnia and Herzegovina.

On an almost daily basis, we have been watching pictures, on our television sets, of the slaughter and the savagery in Bosnia and Herzegovina, pictures of its destruction. The Special Rapporteur of the Commission on Human Rights, Mr. Tadeusz Mazowiecki, in his latest report (S/26765), dated 20 November 1993, drew particular attention to the appalling extent of persecution in the form of "ethnic cleansing" against those of Muslim ethnic origin, and he reminds the world that the Muslim community in Bosnia-Herzegovina is threatened with extermination.

The irony of the situation is that this is happening in Europe, much vaunted as the cradle of Western humanist traditions and civilization. To this day, European leaders have yet to marshal the courage to put a stop to aggression and genocide in their own backyard. Their inaction is shocking and is totally unacceptable. But - worse still - for them to prevent the victims from exercising their inherent right to collective or individual self-defence is

unjust and immoral. Many may wonder whether some Europeans are going back to the traditional but destructive balance of power politics, with some influencing others to opt for a policy of appeasement and peace at any price, as if nothing had been learnt from history.

Some European nations have been in the forefront of initiating peace talks within the framework of the Steering Committee of the International Conference on the Former Yugoslavia. But the Geneva peace process is getting nowhere. Malaysia and other countries of the Organization of the Islamic Conference fear that the so-called peace plan advocated by the mediators is being pursued at the expense of the victims of aggression and genocide - the Bosnian Muslims. The plan legitimizes the acquisition of territory through the use of force, through "ethnic cleansing" by the Serbs and through the partitioning of a State along ethnic lines. It is a peace plan with no honour and no justice.

Is this the kind of solution that the United Nations provides for the most serious violations of human rights in Bosnia and Herzegovina? What kind of message is the United Nations sending to the ultranationalistic, racist groups and would-be aggressors who threaten international peace and stability?

Any peace process undertaken by the mediators or others must be in conformity with the principles of international law and human rights. It is also absolutely essential that the mediators work within their authorized mandate and agreed framework. The integrity and legality of any peace plan will be questioned if any effort to renew or undertake a negotiating process is not based on that premise. That is why Malaysia and the other sponsors of the draft resolution on Bosnia and Herzegovina are requesting that the Security Council examine whether the peace mediators are undertaking their tasks in conformity with the relevant Security Council resolutions.

We are now approaching the second winter of this tragedy. Time is not on our side and it certainly is not on the side of hundreds of thousands of civilians, many of whom may not survive the harsh Balkan winter this year. With each passing day, our ability to prevent what might become an unparalleled human tragedy diminishes.

The Security Council has adopted over 40 resolutions on Bosnia and Herzegovina; yet not one has been effectively implemented. Clearly, the Security Council has failed to live up to its responsibility to take prompt and effective action to restore peace and stability in Bosnia and Herzegovina under Article 24 of the Charter. It is disturbing that the Council has shied away from enforcing its own resolutions. Serbian forces no longer have any respect for any Security Council resolution. Despite systematic and wide-scale Serbian obstruction of the delivery of international humanitarian assistance, no effort has been made to enforce Security Council resolution 770 (1992), which provides for the use of all necessary means.

In his report, the Special Rapporteur of the Commission on Human Rights, Mr. Tadeusz Mazowiecki, pointed out that the relentless military action of the Bosnian Serb forces has turned the areas designated as United Nations safe areas under Security Council resolution 836 (1993) into areas under siege. Indeed, United Nations safe areas, especially Sarajevo, increasingly appear to be free targets for indiscriminate Serbian artillery and mortar attacks. Even hospitals, market places and children's playgrounds are becoming open Serbian killing fields. On 15 December 1993 alone, the Serbs fired 300 artillery and mortar rounds into Sarajevo, causing a number of deaths and adding to the destruction of the city. Sadly, one no longer places much stock or hope in the threats of airstrikes which the United States and the North Atlantic Treaty Organization (NATO) countries made earlier.

The absence of action in the case of Bosnia and Herzegovina contrasts all too harshly with the case of the Gulf crisis, where intervention moved all too swiftly not only to restore Kuwait's sovereignty, but to guarantee Western access to oil. The Security Council has chosen to ignore two resolutions of the General Assembly - resolutions 46/242 and 47/121 - calling for enforcement action to restore peace in Bosnia and Herzegovina. The Security Council has also ignored the Declaration of the Vienna World Conference on Human Rights calling for a halt to the genocide in Bosnia and Herzegovina.

We need to repeat over and over that the Council should act firmly to stop the killing and destruction, either by shouldering its primary responsibility, under Article 24 of the Charter, to use all measures available under Chapter VII, or by lifting the arms embargo and allowing the Republic of Bosnia and Herzegovina, as a Member of the United Nations, to exercise its right to individual and collective self-defence under Article 51 of the Charter. That inherent right cannot be denied to victims of genocide.

The situation in Bosnia and Herzegovina and particularly the genocide occurring there raise cardinal questions about the commitment of the international community to the prevention of crimes against humanity under the genocide Convention. Article I of the genocide Convention of 1948 affirms that

> "genocide, whether committed in time of peace or in time of war, is a crime under international law which

[the Contracting Parties] undertake to prevent and to punish". *(Resolution 260 A (III), annex, article I)*

That genocide remains rampant in Bosnia and Herzegovina indicates that the Contracting Parties have not upheld their Convention obligations to prevent the crime from being committed and therefore are in violation of the Convention themselves. It has been argued that the Security Council's failure to take enforcement action and to lift the arms embargo against the Government of Bosnia and Herzegovina has made some of its members, which are also Contracting Parties to the genocide Convention, accomplices to the crime of genocide.

It is also the purpose of the draft resolution to send a clear signal to those who are guilty of war crimes, "ethnic cleansing" and the systematic use of rape as a weapon of war, and to their protectors or apologists, that the international community is determined to pursue justice through the work of the Commission of Experts and the International War Crimes Tribunal.

Members may recall that last year the General Assembly adopted resolution 47/121, on the situation in Bosnia and Herzegovina; among other things, it requested the Secretary-General to report to the General Assembly by 18 January 1993 on the implementation of that resolution. Regrettably, we have yet to see the report of the Secretary-General. Many of us insist that this resolution remains valid and therefore must be complied with. The absence of the report on Bosnia is unacceptable to my delegation.

In conclusion, my delegation would like to appeal for the widest possible support for the draft resolution on Bosnia and Herzegovina, in the name of humanity and the rule of law. The international community has a moral and legal duty to put a stop to the killings and the extermination of the Bosnian Muslim population in Bosnia and Herzegovina. Malaysia regrets that many prominent European nations have indicated that they will abstain on this draft resolution, on the pretext that it is not balanced and may contradict Article 12 of the Charter. But how could the General Assembly, which represents the will of the international community, possibly be asked to balance the interests of the victims and the perpetrators of "ethnic cleansing" and genocide? At the same time, if the Security Council - whose powers and special responsibility derive from the general membership - acts on our behalf, the general membership has every right to take it to task and urge it to fulfil its responsibility under Article 24 of the Charter and to take prompt and effective action to restore peace and stability in Bosnia and Herzegovina.

Mr. ALLAGANY (Saudi Arabia) *(interpretation from Arabic)*: At the outset, I should like to pay tribute to the Government and people of Bosnia and Herzegovina for their steadfast resistance to the continued aggression against their country. My country has followed with growing sadness the tragedy that has been unfolding in Bosnia over the past 16 months. Suffice it to say that the tragedy that has engulfed the Muslim population of Bosnia and Herzegovina has grown to such proportions that will make it a brand of shame on the face of humanity for centuries to come.

The international community and the Security Council in particular have tried to address this tragic situation. Many resolutions have been adopted under Chapter VII of the Charter, but we wonder whether all the efforts made so far are indeed enough to save the Republic of Bosnia and Herzegovina. All resolutions, appeals and even threats have fallen on deaf ears and have been ignored by the aggressors who persist in their aggression against the Muslim and peace-loving people of Bosnia and Herzegovina.

Mr. Ouedraogo (Burkina Faso), Vice-President, took the Chair.

With every passing day, we witness the aggravation of this tragic situation as a result of the military superiority of the Bosnian Serbs and the outside support they continue to receive from Serbia and Montenegro.

The world is yet again watching another attempt to force the Government of Bosnia and Herzegovina to accept what is tantamount to a final ultimatum in the guise of a peace plan that comes with a map of disjointed pieces of land that are supposed to make up the territory of the Republic of Bosnia and Herzegovina. It is to be noted that this plan started with a step that may be called an illusory union, without an army or a police force directly under a central authority or an elected parliament. It is clear to us that this plan is no more than the knee-jerk reaction of international mediators reacting to facts on the ground created by actions over which they have no control. This indeed is a pitiful admission which means that aggression has triumphed and that violence is the means of settlement. Therefore, it is evident now that the negotiations in Geneva are a screen that hides the real objectives of the Serbs and Croats, namely to put an end to the steadfastness of Bosnia and Herzegovina and to displace or liquidate its people in order to obliterate the very existence of Bosnia as a State and of Bosnians as a people.

The faltering stance by the international community has allowed the aggressors to make gains from their aggression and to go on perpetrating the crimes of the

heinous policy of "ethnic cleansing". This weak position, on the part of the European countries in particular was behind the failure to implement fully the resolutions of the London Conference, on which we had pinned high hopes, the failure of the Vance-Owen Plan and the failure of the subsequent Geneva talks. Ironically, when the Croats were subjected to Serbian aggression, European countries, in particular, hastened to stand by Croatia and to help it militarily. This contributed to the success of international efforts to reach a peaceful settlement in the case of Croatia. On the other hand, the European countries stood idly by as spectators in the case of the Republic of Bosnia and Herzegovina. The international community even deprived Bosnia and Herzegovina of its legitimate right to self-defence under Article 51 of the Charter of the United Nations, the Charter of international legality.

The international reports submitted to the Security Council on the human rights situation in the Republic of Bosnia and Herzegovina have shown persistent and gross violations of human rights as a result of continued aggression against its Muslim people. All these reports highlight the acts of mass detention, imprisonment, forced labour, rape, displacement, expulsion, starvation and genocide which continue unabated under the name of "ethnic cleansing".

Until 1991, the city of Mostar was a multi-ethnic city in which 35 per cent of the population was Muslim, 34 per cent Croat and 19 per cent Serb. Tension between the Croat and Muslim populations in Mostar reached its zenith when fighting broke out in Central Bosnia between the Bosnian Croats and the Government of Bosnia and Herzegovina. As a result, most of the Muslims were forced to flee the city after receiving death threats from the Bosnian Croat forces. This also has been the case in the cities and villages of Bosnia and Herzegovina where acts of displacement, murder, destruction and obstruction of the delivery of relief assistance continue to be perpetrated.

We hope that the proposed solution will not be the cause of future wars and conflicts and hope that European history will not thus repeat itself. We hope that the international community will take a prudent, forward-looking view that will meet this country's geographical claims, ensure respect for its territorial integrity, enable it to exercise its right to self-defence and give it access to the sea in order to ensure a decent life for its people.

The concept of peace and stability that we aspire after in our new world is founded primarily on respect of and support for the principles of international legality. That a single and not a double standard is applied in dealing with similar issues and that the same provisions and stipulations are applied to all without bias, selectivity or discrimination, are important prerequisites for the maintenance of international peace and security. The international community's handling of the issue of Bosnia and Herzegovina must be based on the established norms stipulated in the United Nations Charter. We are of the view that the prolongation of the problem of Bosnia and Herzegovina without a just solution that would be freely accepted by its people, will diminish, without a doubt, the credibility of positive international developments and the very credibility of this international Organization.

Mr. Ouedraogo (Burkina Faso), Vice-President, took the Chair.

Mr. AL-YOUSFI (Yemen) *(interpretation from Arabic):* This last decade of the century has been characterized, in many parts of the world, by increased violence and terrorism, the spread of civil wars and ethnic and tribal conflicts and the collapse of political regimes and State institutions. This has led to the weakening of the rule of law, to greater upheaval and disorder and to grave collective violations of human rights. Consequently the world has not become the oasis of peace we had hoped for a few years ago with the ending of the cold war and bipolarity.

The situation has been further aggravated by the fact that the new conflicts, which are ethnic and religious in character, have caused great loss of human life and colossal material devastation that has wrecked national economies, caused huge influxes of refugees and brought about the obliteration of the cultural and religious heritage of whole nations. This has caused people to question the credibility of the international community and doubt its ability to establish a new world order that would be based on justice and respect for human rights.

The dim picture of human suffering and the cruelty of man to man is illustrated in the tragedy of the age that has overwhelmed the fledgling Republic of Bosnia and Herzegovina, a Member of the United Nations, which is the victim of a barbarous wave of genocide at the hands of Serbia and Montenegro, with the help of the national army of the former Yugoslavia. In this aggression, the likes of which Europe has never seen since the end of the Second World War, all norms of civilized conduct - including the principles of the Universal Declaration of Human Rights, international law and the 1949 Geneva Convention - have been cast aside.

My country has followed with profound sorrow and enormous indignation the daily reports on the escalation of violence, the merciless shelling of towns and villages, the savage massacres, the conspiracies to starve this people into submission and, worst of all, the pursuance of a policy

of genocide under the slogan of "ethnic cleansing". My country has voiced its strong condemnation, in all international forums, of the Serb aggression against Bosnia and Herzegovina and the attendant collective killings, torture, rape and other crimes which shame humanity at the end of the twentieth century.

It is really unfortunate that the efforts of the international community and the United Nations, the European Community, the International Conference on the Former Yugoslavia, the Organization of the Islamic Conference and the Non-Aligned Movement have all failed, to this date, to give any cause for hope that this situation may be normalized and an end put to the bloodshed.

In the Secretary-General's report on the activities of the Organization (A/48/1), the Secretary-General states that the situation in Bosnia and Herzegovina is worsening, and I quote:

> "The tragic situation in the former Yugoslavia continues to drain the attention, resources, and emotion of the international community. The Security Council is in session almost daily on this subject and, by the end of July 1993, had adopted 44 resolutions and issued 33 statements by the President on the various conflicts there." *(A/48/1, para. 443)*

> "But there is a real risk that, if the present downward spiral continues, it will be impossible for the Security Council to achieve its political objectives in Bosnia and Herzegovina. The ultimate consequences would be further large population displacements, which could have serious destabilizing effects on neighbouring countries and the region as a whole, and a humanitarian catastrophe." *(A/48/1, para. 451)*

The report goes on to state that:

> "One of the most heinous aspects of the war in the former Yugoslavia is the massive and systematic violation of human rights, and the grave violations of humanitarian law, particularly in Bosnia and Herzegovina. The Special Rapporteur of the Commission on Human Rights has submitted several detailed reports on the situation, with recommendations. In his report of March 1993, he paid special attention to mounting evidence of war crimes." *(A/48/1, para. 452)*

The international community is required to move quickly to halt Serbian aggression against Bosnia and Herzegovina, to bring about the withdrawal of the aggressor forces from all the territories that have been occupied through the use of force and the perpetration of the crimes of genocide and "ethnic cleansing" and to restore the country's sovereignty and territorial integrity. The agreed principles which govern contemporary inter-State relations which were very vehemently and enthusiastically upheld and defended in the Gulf crisis have not been upheld with the same effectiveness in the case of Bosnia and Herzegovina. This demonstrates most clearly the double standards and selectivity of the Security Council in dealing with the question of the implementation of its own resolutions on international issues which are of the same nature and which arise within the same context and under the same conditions.

The logic of legality demands that the Security Council reject the Serbian occupation in the case of Bosnia and Herzegovina just as it rejected occupation in other cases.

The Security Council cannot consider naked aggression by one State against another as a legitimate act while condemning aggression as illegitimate when committed by some other State. To address the issue, the same standard has to be applied and the same measures stipulated by the Charter must be taken, fully and comprehensively without selectivity or distinction between one case and another. For aggression is aggression. There is no difference between the Serbian aggression against Bosnia and Herzegovina and the Israeli aggression against south Lebanon or any other aggression by any Member State of this Organization against another Member State in the east, west, north or south of the globe. And yet, it now appears that the Security Council meets at will to adopt any resolutions it has to adopt and then it enforces those resolutions that are to its liking and freezes in its archives those that it does not like. This calls into question this Council's credibility, norms and multiple standards.

My delegation finds most regrettable the consequences of the attitudes in the Security Council which are characterized by hesitancy and temporizing and which prevent it from adopting decisive effective measures that would put an end to the barbaric crimes aimed at physically wiping off a whole people from the face of the earth, while that people is left to suffer the consequences of the unjust embargo imposed upon it by the Security Council per its resolution 713 (1991), which deprives that people from its legitimate and natural right of individual and collective self-defence under Article 51 of the United Nations Charter.

While we believe that the solution to this horrific tragedy lies in a peaceful and just settlement on the basis of respect for the right of peoples to self-determination

under international law and the norms of international legality, we believe that such settlement should be based on the following principles:

First, immediate halting of all military operations;

Secondly, the principle of the inadmissibility of acquisition of land by force must be upheld, and consequently immediate unconditional withdrawal from all the occupied territories must take place;

Thirdly, the results of aggression and "ethnic cleansing" must be eliminated;

Fourthly, the right of all refugees to return to their homes in security and safety and to receive indemnification for damages must be implemented;

Fifthly, individual responsibility for war crimes must be established and those responsible for crimes must be brought to justice by the International Tribunal which has been established as a deterrent against those who would violate human rights; and

Sixthly, the Security Council must authorize UNPROFOR to use force to ensure respect for the cease-fire and to enforce its relevant resolutions.

Mr. ELARABY (Egypt) *(interpretation from Arabic)*: The General Assembly debates today the situation in Bosnia and Herzegovina, and thus takes up a most sensitive issue for the entire international community. The Republic of Bosnia and Herzegovina, a Member State of the United Nations, faces a situation wherein its territorial unity and integrity are being violated by a naked military aggression motivated by political considerations and territorial ambitions. The very existence of the Republic of Bosnia and Herzegovina is now threatened, and the country faces the possibility of progressively disappearing as a State and of seeing its membership in the Organization automatically ended under the eyes and within earshot of the international community as a whole.

My delegation wishes to draw the attention of the international community to the long history of the Republic of Bosnia and Herzegovina as well as to the singularly admirable character of its capital, Sarajevo, which has maintained a unique multi-cultural, multi-ethnic and multi-religious character.

The international community should support and preserve that character instead of turning its attention towards the attempts to divide this historic city and the State itself in a manner which would entrench the gains made by aggression.

The United Nations, which performs the pivotal role in the contemporary international order, is duty bound to face up to the issue and deal with the real causes of the problem instead of focusing on contingencies and appearances. The United Nations must take immediate, comprehensive and firm measures that are in consonance with the spirit and letter of the Charter in order to impose unconditional and complete compliance with the rules of international legality.

The delegation of Egypt calls for international intervention to lift the military siege laid against Sarajevo and to return the city to its former condition. We also call for the elimination of aggression throughout Bosnia and Herzegovina. The Security Council has adopted numerous resolutions on this conflict, most of which were adopted under Chapter VII of the Charter. To date, none of those resolutions has been implemented and none of their provisions has been respected. The situation on the ground in the Republic of Bosnia and Herzegovina continues to deteriorate. Military activities are being escalated and the aggressors are engaged in an attempt to entrench their territorial gains in order gradually to force them, as a *fait accompli*, not only on the State which is the victim of their aggression but indeed on the entire international community.

International legality itself is now at stake. The United Nations must take into consideration the need to ensure respect for established international rules. Clear and specific measures must be taken to halt aggression, eliminate its consequences and deal with the substance of the current dispute which led to the armed struggle which poses a continuing threat to international peace and security.

In this context, the vital importance of taking the following considerations into account comes to the fore: first, the full membership rights of the Government of Bosnia and Herzegovina as a Member State of the United Nations must be reaffirmed, particularly its right to legitimate self-defence as enshrined in Article 51 of the Charter;

Secondly, there must be an immediate binding cease-fire that must be respected by all parties. The United Nations Protection Forces must be mandated to ensure that the cease-fire is fully respected;

Thirdly, the letter and principles of the Charter of the United Nations and the principles of international law must be reaffirmed, particularly those principles relating to the inviolability of international borders, respect of the sovereignty and territorial integrity of States and the inadmissibility of the acquisition of land by force;

Fourthly, the aggressor must be forced to withdraw and the lands acquired by force must be returned;

Fifthly, the policies and practices of "ethnic cleansing", which are a form of genocide, must be brought to an end, and the right of those who were forcibly expelled under that heinous slogan to return to their homes and lands under appropriate international protection must be ensured.

Sixth, the mandate of UNPROFOR in Bosnia and Herzegovina must be amended to ensure a more effective role for UNPROFOR in providing international protection to civilians and ensuring the clear and effective implementation of Security Council resolutions.

Seventh, if the aggressors do not abide by international resolutions, the United Nations must undertake to implement measures of collective security in order to come to the aid of the victim, eliminate aggression, impose the norms of international legality and thereby to strengthen and reaffirm the credibility of the United Nations.

Half-measures are no longer viable. The international community is called upon today to take firm measures and impose comprehensive solutions. Unless that takes place, the prestige and standing of the Organization will be called into question. The credibility of the United Nations will be shaken in the eyes of those Member States which are weak in the balance of military power and which have strong neighbours with territorial ambitions.

Stop-gap measures for this crisis will never provide the necessary guarantees to eliminate the threats to international peace and security. If the roots of the struggle are concealed by cosmetic solutions, the region will be likely to explode at any time. The international community must think of this now, before the struggle moves on to Kosovo, Sandjac and Vojvodina on the same ethnic and religious bases, after which it could spread further to other neighbouring regions.

The delegation of Egypt welcomes all efforts aimed at reaching a peaceful solution to the problem of Bosnia and Herzegovina. We reaffirm here that a comprehensive, just and final solution is the fundamental guarantee for durability and stability. This puts the spotlight squarely on the basic frame of reference, namely the political negotiations between the parties to the conflict. Any plan for settlement must live up to the letter and spirit of the Charter of the United Nations, the principles of international law and the resolutions of the General Assembly and the Security Council as well as the principles of the International Conference on Yugoslavia, principles which were laid out in the first round of negotiations within that framework in London.

In this regard, my delegation welcomes the idea of holding a comprehensive international conference on Yugoslavia and stresses the need and importance of expanding participation in this conference to include the States contributing to UNPROFOR and neighbouring States as well as the Organization of the Islamic Conference (OIC) contact group on the crisis.

The long-awaited International Tribunal has been created in order to bring to justice the perpetrators of war crimes in the former Yugoslavia. My delegation wishes to reaffirm confidence in the Tribunal and calls for providing it with the wherewithal and all the necessary resources that would enable it to effectively discharge the task mandated to it. We hope that proceedings will begin soon in order to try and punish all those who have perpetrated war crimes against humanity in the former Yugoslavia.

My delegation expresses its appreciation for the role of the Commission of Experts established under Security Council resolution 780 (1992). The information provided by that Commission is most important and will be most useful to the proceedings of the Tribunal. We therefore believe that the Commission must continue its activities as a complementary body to the Tribunal.

My delegation cannot fail to pay tribute to the Secretary-General and his staff, the Department of Peace-keeping Operations and the leadership and personnel of UNPROFOR. We are proud to participate in UNPROFOR with fully equipped military personnel, military observers and police officers. We should also like to pay tribute to the efforts undertaken by Mrs. Ogata, the High Commissioner for Refugees, to deliver humanitarian assistance to the Bosnian people which is in the grip of a human tragedy that will never be forgotten by history.

In conclusion, my delegation, as one of the co-sponsors of the draft resolution in document A/48/L.50, calls on the Member States to support the draft resolution as an expression of the solidarity of the international community with the people and Government of Bosnia and Herzegovina in their current plight.

Mr. AL-NI'MAH (Qatar) *(interpretation from Arabic)*: It is with deep sorrow that I stand here today to address the General Assembly during its discussion of the tragic situation in the Republic of Bosnia and Herzegovina. This situation is an affliction that distresses this weak human that stands here today in the Assembly, a continued cause for concern and an increasingly noxious problem with no end in view. It is unbearably painful and the

anguish it causes cannot be concealed. It has been complained of and condemned in the statements made here today, which have varied in the degrees of pain and sorrow voiced by the speakers. It is as if in these tragic circumstances the General Assembly stands powerless and can do nothing but talk.

As an international community, we are in duty bound to be among those who, when they are touched by pain turn their pain into a remedy that would heal the deep wounds now being inflicted on Bosnia and Herzegovina. We are in duty bound to be among those, who, when they hear the voice of pain, turn their indignation into action that would rescue the victim. We aspire after all that, but lack the will to act. The situation is grave.

In my capacity as representative of an Arab country I can only put on record that we, the peoples of a region which has been the theatre of two successive wars and has suffered their dire consequences, having heard much talk of a "new international order", had come to believe that today's world in which the confrontation between the two super-Powers had ended, was going to be a brave new world that would never hesitate to repel aggression, deter its perpetrators, eliminate its consequences and stand up against injustice. However, we continue to be deeply disappointed, because we see yet another country, a Member State of the United Nations, Bosnia and Herzegovina, being subjected to aggression, its land usurped, its population murdered and displaced by the thousand, while the world continues to stand idly by and do nothing but talk instead of taking effective action.

The aggressor in the war in Bosnia and Herzegovina is the Republic that continues to call itself Yugoslavia, namely Serbia and Montenegro. That State has local allies, the Serbian population of Bosnia and Herzegovina, whom it directs and arms with war *matériel* and planes. That country is still a Member State of the United Nations, even though its membership has become somewhat restricted. Yet it persists in disregarding the resolutions of the Security Council and the will of the international community. Its leaders compete in deluding the world by falsely claiming that they want peace and that what is happening in Bosnia and Herzegovina is only a civil war over which they have no control, while contradicting their words with their actions.

They have agreed to countless cease-fires, only to turn around and breach such cease-fires in collusion with their local allies. That shameful position is accompanied by the continuing and criminal shelling of Sarajevo, the capital of Bosnia and Herzegovina, and the obstruction of humanitarian assistance to the population of that unhappy city which now awaits the onset of winter.

The immorality of the situation is self-evident, but what we have here goes far beyond that in terms of international peace and security. My delegation therefore calls upon the international community gathered here today to take the necessary and decisive action to halt this shameful chapter in the history of mankind. It must call upon the Serbian aggressor to desist from its acts of aggression and compel it to stop. We must appeal to the values that are still latent in the conscience of the United Nations and halt the flagrant aggression and restore a state of lawfulness. By so doing, we shall ensure that justice and legality will again prevail and that nowhere else in the world will an aggressor consider using force in pursuit of its aims against its neighbours or segments of its own people and think that such acts could be committed with impunity. If we fail to do this, the tragedy of Bosnia and Herzegovina will be nothing but the prelude to a bleak chapter in world history in which brute force will become the norm between rivals and in which the principles of the United Nations Charter will be for naught.

I truly believe I am right in saying that any solution to the problem of Bosnia and Herzegovina will not be acceptable if it is based on the perpetuation of the consequences of aggression and if the so-called "ethnic cleansing" is conceded as a *fait accompli*, under the guise of dividing the Republic of Bosnia and Herzegovina into small ethnic States. This was the formula proposed following the Geneva talks, a formula that was rejected by Bosnia's elected Parliament, which truly represents all the people of Bosnia without distinction.

My country, as a member of the Organization of the Islamic Conference, strongly supports the declaration adopted last May by the member countries that met at United Nations Headquarters. My country firmly believes that we should implement the provisions of that declaration, particularly the provision for the safe return of Bosnian refugees to the homes from which they have been expelled, and that a Security Council resolution should be adopted rejecting the *fait accompli* situation that was arbitrarily imposed on the Republic of Bosnia and Herzegovina, calling for the restoration of its sovereignty over all its territories and ensuring its territorial integrity. This is what we hope will be stipulated in the General Assembly resolution that will be adopted at the end of this discussion.

I can find no better way to conclude my statement than with the words said by the President of Bosnia and Herzegovina himself in a letter to the Secretary-General wherein he stated that the future is for just peace only, and that such a peace, which is favoured by Bosnia and Herzegovina, could be achieved only by respecting the

relevant Security Council resolutions and by adhering to the principles of the London Conference.

Mr. KABIR (Bangladesh): Today, once again, we are here to discuss the tragedy of Bosnia-Herzegovina. We do so amid the agonized cries of those being butchered, raped and killed by misguided Serbians in that embittered land in the heart of Europe whose civilization is one of the most cherished elements of our human heritage. The acts of cruelty against the Bosnians continue unabated in flagrant disregard of the many resolutions adopted by this body, as if the word "cruelty" itself were gaining a bizarre sort of respectability. That we watch as spectators while the Serbian's planned pogrom goes on, that we hesitate to make determined efforts and that we falter when efforts are under way reflects poorly on our interest and our desire and ability to resolve this issue. Our role seems to have become that of a spectator watching the slow and painful death of a fellow Member State.

If we have sincerity of purpose and political will, I very much believe we can still save the Bosnians from extermination and prevent Bosnia and Herzegovina from disappearing from the map of Europe and the world. Our sincerity, we hope, will be reflected in the outcome of our deliberations at the present session of the General Assembly, which, if we fail, could very well be the last one for Bosnia and Herzegovina. Indeed, it would be a shame for all of mankind and, particularly, for us present here today.

My delegation has spoken time and again on the oppression and genocide unleashed on the Bosnians, and we have spoken against the Serbs' abhorrent policy of "ethnic cleansing". We have also, time and again, attempted to focus attention on the grim and grave human-rights situation in Bosnia and Herzegovina. In the general debate earlier in this session, Prime Minister Begum Khaleda Zia of Bangladesh stated that the tragedy of Bosnia and Herzegovina, which is "a source of agony for all people of conscience" *(Official Records of the General Assembly, Forty-eighth Session, Plenary Meetings, 13th meeting, p. 23)*, is a case of

> "unequal application of the concept of human rights. ... The double standard of supplying arms to the Serbs and the Croats while the Bosnian Muslims remain unarmed is tantamount to violation of human rights." *(ibid.)*

In our opinion, human-rights values, to become universal and self-sustaining, must ensure the complete elimination of dual attitudes or selectivity on the part of the States Members of the United Nations. While we are seriously - and, so far, successfully - debating the issue of appointing a High Commissioner for Human Rights, we are at the same time failing deplorably to uphold the right of the people of Bosnia and Herzegovina to survive, a right which I think is the core of the human-rights issue. If people die because of aggression, atrocity and hunger, how, may I ask, can they exercise their human rights?

During the time of the brutal aggression against Bosnia and Herzegovina by the Serbians we have witnessed the adoption of many resolutions and measures by this body with a view to restoring peace in the region and to ameliorating the sufferings of the victims of the conflict. Bangladesh has firmly and unhesitatingly supported all such resolutions and measures on Bosnia and Herzegovina, and on this very draft resolution (A/48/L.50) before us, Bangladesh has equally strong and firm feelings. Like everyone, we are alarmed at the continuing practice of "ethnic cleansing" by the Bosnian Serbs, and at the collusion between them and the extremist Croatian elements to seek the dismemberment of the Republic of Bosnia and Herzegovina. We therefore support the draft resolution in rejecting the acquisition of territory through the use of force and "ethnic cleansing"; we support the principles enunciated in all resolutions of the General Assembly, the Security Council and those adopted by the International Conference on the Former Yugoslavia; and we support the lifting of the arms embargo on Bosnia and Herzegovina in order to enable the Government and the people to exercise their inherent right of self-defence, in accordance with Article 51 of Chapter VII of the Charter of the United Nations.

May we recall here Security Council resolution 713 (1991) on the arms embargo on the former Yugoslavia, which was adopted earlier for the purpose of deterring the aggressor. I am confident that all members of this body present here are as convinced as we are of its failure to do so; for even as we debate the issue here, the Serbians continue to receive arms, including heavy weaponry, while Bosnians sit as helpless targets of elimination, aggression and imprisonment in their own land in the so-called safe areas.

Therefore, before it is too late we must lift the arms embargo on Bosnia and Herzegovina to enable the Bosnians to fight for their survival, for surely we would all wish to see the Bosnians live as a nation in their own homeland. Such action would also deter Serbians from pressing on with their policy of expansionism and induce them to sit at the negotiating table in the right frame of mind for a fair and just political settlement acceptable to all.

As indicated in this draft resolution, our delegation is for an immediate overall cease-fire and the complete

cessation of all hostilities throughout Bosnia and Herzegovina so that an atmosphere is created that is conducive to the resumption of peace negotiations within the framework of the International Conference on the Former Yugoslavia; the lifting of the siege of Sarajevo, other towns and safe areas by the Bosnian Serbs; the facilitation of the unhindered flow of humanitarian assistance, including the provision of water, electricity, fuel and communications, in particular to the "safe areas"; the immediate closure of all detention and concentration camps established by the Serbs in Serbia and Montenegro and Bosnia and Herzegovina; and the expeditious completion of the remaining arrangements for the International Tribunal constituted by Security Council resolution 827 (1993), so that it can try and punish those responsible for the perpetration of crimes against humanity in the former Yugoslavia.

In short, the draft resolution contains measures that are all comprehensive in nature, but to implement them we need to apply our whole-hearted and determined efforts and thus bring this unbelievable human tragedy to a speedy close. Only such positive action could reinvigorate our trust and faith in ourselves as honest Members of this international Organization.

Our conscience dictates that we support the draft resolution on Bosnia and Herzegovina that is before us. Inertia and inaction at this time would deal a cruel and deadly blow not only to international law and legitimacy, but also to our faith in this great institution - the United Nations.

Bangladesh, for its part, not only has accorded its full and complete support to the draft resolution but has also co-sponsored it. We believe the present debate will culminate positively in the unanimous adoption of the draft resolution, thereby assisting the Bosnians in their bid for survival in their own homeland - Bosnia and Herzegovina - and deterring the Serbian aggressors. It would also send a clear and distinct signal to those with expansionist designs and ambitions about the strength and determination of the community of nations to uphold the principles and provisions of the United Nations Charter.

The PRESIDENT *(interpretation from French)*: In accordance with General Assembly resolution 3369 (XXX), of 10 October 1975, I now call upon the Observer of the Organization of the Islamic Conference.

Mr. ANSAY (Organization of the Islamic Conference): At the outset, Mr. President, I should like to thank you for giving me the opportunity once again to address this body regarding the worst human disaster and tragedy of our time: the situation in the Republic of Bosnia and Herzegovina.

A Member of the United Nations family has fallen victim to a blatant and cruel war of conquest, accompanied by genocide, rape, religious "cleansing" and mass expulsions, the consequence of which is a horrible new kind of Serbo-apartheid.

For the first time since the Second World War, frontiers in Europe are being redrawn by force of arms, mass killings and a variety of heinous crimes, while the principles of the United Nations are continuously being flouted. This inhuman massacre is going on not only on the battlefields but in the cities, homes, schools, hospitals and mosques, everywhere and every day in Bosnia and Herzegovina. People, no matter who and where, are slaughtered in cold blood and with impunity by hardened war criminals who have yet to be identified, prosecuted and punished, while the United Nations seems not only unable but, regrettably, reluctant to step in firmly and act as seriously as is expected of it to stop this carnage. If the fighting continues, the world will witness even more suffering by innocent people due to the bitterly cold winter that has already set in over the region.

From the very beginning, the situation in Bosnia and Herzegovina has been the most prominent item on the agendas of the gatherings of the Organization of the Islamic Conference (OIC). I presented a detailed account of all the OIC's activities in this regard some time ago before this Assembly. Since then, the last two extraordinary ministerial meetings of the OIC on the subject, which took place in Istanbul and Riyadh; the twenty-first Islamic Conference of Foreign Ministers, held in Karachi last April; the meeting of the extended Bureau and the special ministerial meeting of the enlarged Bureau of the OIC; and the OIC's annual Coordination Meeting of the Ministers of Foreign Affairs, held at the United Nations on 29 September 1993 under the chairmanship of the Foreign Minister of Pakistan, also engaged in thorough reviews of the latest developments in the human tragedy in Bosnia.

The Coordination Meeting *inter alia*, reaffirmed all previous resolutions pertaining to the situation and to the Serbo-Croatian collusion in seeking the dismemberment of a Member State of the United Nations through the use of force and acts of genocide against the Bosnian Muslims. It reaffirmed its steadfast support for the Government and the people of the Republic of Bosnia and Herzegovina in their just struggle to safeguard the sovereignty, political independence and territorial integrity of their country.

The OIC's annual Coordination Meeting also affirmed the commitment of the member States of the OIC to contribute towards the implementation of a just political settlement that fully meets the concerns of the Bosnian Government, within the framework of the relevant Security Council resolutions. In this context, it reiterated the readiness of the OIC member States to contribute troops to the United Nations Protection Force and urged the Secretary-General of the United Nations to accept the offer made by OIC.

The Organization of the Islamic Conference welcomed the resumption of negotiations in Geneva, hoping to see the expressed initiative of the European Union succeed in effectively reviving the peace process and achieving concrete and substantive results. In this respect, we recall that any viable settlement must take into account the legitimate demands of the Government of the Republic of Bosnia and Herzegovina, in particular their right to live in a State that is viable geographically, socially, economically, politically and defensively; to obtain firm commitments for the implementation of the agreements concluded; and to take the necessary steps to ensure the future security of Bosnia. In this connection, the Serbian side should be kept under firm pressure to respect and implement the relevant Security Council resolutions as well as the commitments made and agreements concluded.

We in the Organization of the Islamic Conference believe that, even at this eleventh hour, there is still time to lift - albeit belatedly - the arms embargo imposed upon Bosnia and Herzegovina in order to enable it to defend itself against aggression and genocide, and to widen and strengthen the sanctions against Serbia and the Bosnian Serbs, the colluding partners in aggression.

We also believe that, for the sake of international justice and the prevention of crimes against humanity, the International war crimes Tribunal should start effectively functioning without delay. All Governments, organizations and persons that have documents relevant to the mandate of this Tribunal should submit them in order to enable this newly established law enforcement agency to collect as much evidence as possible for the accomplishment of its mission.

We are also deeply concerned at the fact that there is massive evidence that in Serbia the Muslim minority in Sandjak has been deprived of its rights. Many people who have defended the rights of their countrymen have been imprisoned or expelled, while the regime in power in Serbia has been supporting the rights of the ethnic Serbs in Croatia and at the same time denying the rights of the minorities in Serbia.

The Organization of the Islamic Conference demands that all the relevant international organizations urge the Serbian regime to reinstitute the essential and basic inalienable rights of Muslims in Sandjak and in Kosovo. The ongoing process should in no way neglect this very important political and human rights issue.

The Organization of the Islamic Conference, at the very beginning of the crisis, established at the United Nations in New York a Contact Group Task Force consisting of representatives of several Islamic countries, in order to monitor all relevant developments regarding this problem.

The permanent representatives of the member States of the Organization of the Islamic Conference also met in New York on 6 December 1993 and issued a statement reflecting once again their nations' grave concern regarding the tragic, and still worsening, situation in the Republic of Bosnia and Herzegovina. The statement read:

> "Despite the consistent show of flexibility by the Bosnian Government, there is no sign of an honourable peaceful settlement of the conflict. The Government of President Izetbegovic has demonstrated considerable courage in agreeing to the resumption of peace talks on the basis of the proposal by the European Union. Regrettably, these talks are faltering because of the unreasonable and inflexible attitude of the Serbs."

The statement also reiterated that

> "The Organization of the Islamic Conference is alarmed at the recent suggestion to relax the sanctions imposed against Serbia-Montenegro. These sanctions were imposed by the Security Council in the wake of blatant Serbian aggression against Bosnia and the massive violations of the human rights of its people. Any talk of lifting the sanctions not only would be premature, but would also serve to legitimize the brutal Serbian actions against a Member State of the United Nations. This aggression is still continuing unabated. The Organization of the Islamic Conference would resist any effort aimed at lifting the sanctions against the Republic of Yugoslavia (Serbia and Montenegro) as long as all conditions stipulated by the Security Council are not fully met, including the vacation of territories occupied by force and "ethnic cleansing".

In the meantime, the Secretary-General of the Organization of the Islamic Conference recently attended in Geneva a meeting convened by the European Union on the problem of Bosnia and Herzegovina. In this context,

the Secretary-General held detailed discussions with Mr. Alia Izetbegovic, the President of the Republic, in the presence of the Bosnian Prime Minister, Mr. Silajdzic. We also contacted and exchanged views with the Foreign Ministers of Belgium, France, Germany, Austria and Great Britain as well as with the Co-Chairmen of the International Conference on the Former Yugoslavia and the United Nations High Commissioner for Refugees.

While noting with satisfaction the resumption of the negotiations, the Secretary-General reaffirmed the solidarity of the member States of the Organization of the Islamic Conference with the Bosnian people and their legitimate Government as well as those member States' determination to contribute towards a peaceful and just settlement in conformity with the principles and decisions of the London Conference and the relevant resolutions of the United Nations Security Council.

At the end of the visit to Geneva, the Secretary-General of the Organization of the Islamic Conference went to Dakar, Senegal, where he apprised the President of Senegal - the current Chairman of the Islamic Summit Conference - of the status of the ongoing process of negotiations on Bosnia and Herzegovina. In this context, it was also decided that the Secretary-General of the Organization of the Islamic Conference would request member States to organize the celebration of a day of solidarity with the people of the Republic of Bosnia and Herzegovina and launch a special fund-raising campaign at the national level to come to the aid of the suffering Bosnian population. Subsequently, it was decided that this campaign of solidarity would be organized on Monday, 27 December 1993. It is hoped that this opportunity will permit member States to sensitize their public opinion about the Bosnian tragedy by means of symposiums, exhibitions and other activities.

In conclusion, I should like to reiterate the OIC's full support for the right of the Republic of Bosnia and Herzegovina to defend itself under Article 51 of the United Nations Charter, and in this regard to call for the lifting of the arms embargo against the Republic of Bosnia and Herzegovina.

The Organization of the Islamic Conference, with its entire membership of 51 countries, reaffirms its strong and unswerving support for the just struggle of the Bosnian people against aggression, genocide and ethnic or religious "cleansing". The OIC fully endorses the constructive Bosnian position on the principles of a peaceful settlement of the conflict. Unless all parties concerned take cognizance of the legitimate demands of the Bosnian people, peace will remain elusive in the entire Balkan region, and thus the security of the area as well as that of the world at large will continue to be in jeopardy.

The meeting rose at 1.15 p.m.